



HOWARD COUNTY PUBLIC WORKS BOARD

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James M. Irvin, Executive Secretary
Jacqueline Somervell, Recording Secretary

Darryl A. Stokes, Chairperson
Mitchell Smith, Jr., Vice Chairperson
Christine M. Carroll, Member
Michael A. Higgins, Member
Lisa S. Spitulnik, Member

Minutes of the Howard County Public Works Board – January 13, 2009 and Public Works Board Conference Call - January 29, 2009

Members present - January 13, 2009: Christine M. Carroll and Lisa S. Spitulnik.

Staff present - January 13, 2009: James M. Irvin, Executive Secretary; John Seefried, Acting Chief, Construction Inspection Division; Daniel Davis, Project Manager, Utility Design Division; Tina D. Hackett, Chief, Real Estate Services Division and Jacqueline Somervell, Real Estate Services Division, Department of Public Works.

Mr. Irvin called the January 13, 2009 meeting to order at approximately 7:40 p.m. He stated that since our third Board member should be arriving shortly, we would start the meeting.

Since there was no quorum at the January 13, 2009 meeting, the Public Works Board members unanimously agreed to have a conference call to make decisions on these projects. The conference call was held on January 29, 2009.

Members present - January 29, 2009: Darryl Stokes, Mitchell Smith, Jr. and Lisa S. Spitulnik.

Staff present - January 29, 2009: James M. Irvin, Executive Secretary; Don Lieu, Chief, Utility Design Division; Tina D. Hackett, Chief, Real Estate Services Division and Jacqueline Somervell, Real Estate Services Division, Department of Public Works.

Mr. Stokes called the conference call to order at 3:00 p.m. verified that we had a quorum and presented the items on the agenda for Board review and approval.

Mr. Irvin stated that since we have a large audience and most are here for the last item on the agenda, we should start with Capital Project W-8310, FY 2012 Marlo Austin Way Water Main Extension.

1. Proposed Capital Water and Sewer Projects

Mr. Daniel Davis, Project Manager, Utility Design Division stated the purpose of this presentation is to seek recommendations from the Public Works Board concerning nine (9) new water and sewer capital projects for the upcoming 2010 fiscal year and the ten-year water and sewer capital improvement program.

The user costs associated with the water and sewer extensions are as follows:

Sewer house connection charge	\$4,500.00	
Sewer In-Aid-of-Construction charge	\$ 600.00	per in aid unit
Sewer Account Charge	\$ 6.83	per quarter
Sewer use charge	\$ 1.90	per 748 gallons
Water house connection charge	\$2,400.00	
Water Meter Setting	\$ 280.00	
Water In-Aid-of-Construction charge	\$ 600.00	per in aid unit
Water Account Charge	\$ 8.94	per quarter
Water use charge	\$ 1.19	per 748 gallons (Winter Rates)
	\$ 1.31	per 748 gallons (Summer Rates)

All user costs noted in the presentation are subject to change each July 1.

a) W-8310, FY 2012 Marlo Austin Way Water Main Extension

Staff Presentation: Mr. Daniel Davis, Project Manager, Utility Design Division stated the first project to be brought before the Public Works Board is Capital Project W-8310, the Marlo Austin Way Water Main Extension. The project consists of the design and construction of 350 linear feet of 8-inch water main from Marlo Austin Way to serve one property off of Kerger Road. The estimated project cost is \$150,000 to be funded in fiscal year 2012. The project was requested by Mr. Larry Wagoner, the owner of the property located at 5287 Kerger Road, Ellicott City, Maryland, Tax Map 31, Parcels 660 and 661. The parcels are 1.20 acres and 1.37 acres in size and are zoned R-20. Parcel 661 is improved. The parcels are within the Metropolitan District and are eligible for public water service. Interested property owners were notified of tonight's meeting by advertisement in local newspapers and by postings in the project area. Land acquisition will be necessary for this project.

Board Comments: Mr. Irvin asked the Board if there were any questions. Ms. Carroll raised a concern regarding the location of the water main and would an easement affect one property owner. Mr. Davis indicated that the roadway is a use in common right-of-way with the majority of the residents using it. We have an existing sewer easement on one of the properties (he pointed to it on the map) and we will probably need an additional 10 feet to install the water main. Ms. Spitulnik asked if this is a private road and is already being used as an access. Mr. Davis said yes. Ms. Spitulnik said then you will have to take a portion of 5019 Kerger Road going into their land for an easement. Mr. Davis said he wasn't sure if it would be 5019 Kerger Road until the project is designed. Ms. Spitulnik asked if it was possible to do the work in the private access area. Mr. Davis stated he wasn't sure without having any dimensions. He stated it would depend on the size of the road right-of-way, but those types of issues are worked out in the design. Ms. Carroll asked where the existing water main was located. Mr. Davis stated that there is water located on Harvey Lane – the water isn't shown on the drawing they have in their books.

Public Testimony: Mr. Anthony Randazzo, 5289 Kerger Road, Ellicott City, Maryland 21075. The big question is if you are running water to the Waggoner property why not to the other properties? Mr. Irvin stated that the County responds to citizens requests.

If more people are interested in having the service, then we can amend the project. The purpose of this meeting is to determine if people are for the project, against the project or want changes to it. Mr. Randazzo stated that since they all own a piece of the access road going out to Kerger Road, the work would have to be done on our property anyway. Mr. Irvin said if he was in favor of the project and would like it extended he should state that and identify how far he wants the line extended. Mr. Randazzo stated yes he is in favor of the line being extended. It just makes sense if you are going to run water that you take care of everything at one time. Eventually when we decide to hook up to it - it is already there. Mr. Randazzo asked if there was a form to fill out. Mr. Irvin stated the purpose of this meeting is to get input and to modify the project, if requested.

Mr. Robert Wertz, representing Robert and Patricia Wertz, 5293 Kerger Road, Ellicott City, Maryland. They live beyond the Randazzos and would also like the opportunity to have the water service extended. Mr. Wertz stated that he has another issue – the possibility of having the driveway they use turned into a public road. Mr. Irvin stated that the roadway is a separate legal process; you have to petition to make the road a public road. Mr. Irvin stated that if his memory serves him correctly, the private road is not in the location it is supposed to be in physically in the field – that was one of the problems we had when this project was constructed a number of years ago. It is located on various properties, so we would have to work through some of those issues to get all of that straightened out in terms of the access. There is a process established in the County code and we would be glad to work with you to explain the process and have someone meet with you and your neighbors to go over what the steps are to make that happen.

Ms. Tamara Orr, 5119 Kerger Road, Ellicott City, Maryland. As I understand it and looking at this map, the current proposal would cut right through our property and possibly acquiring some of our property. I have no idea of what that process is and what our legal rights are as the owners. Currently we have easement for everyone to come down that road and travel across the property and that becomes the access road. I am not sure if 10 feet is what you would need in addition to what is already there. Mr. Davis stated that it is not shown on the drawing, but there is a sewer line and there should be a 10 foot easement on that sewer line. This is just a drawing to show point A to point B; we would never put a water main right at your house. As the design gets closer to completion, we will figure out where we are going to put the main. Ms. Orr stated she had a couple of other concerns: (1) she has small children in terms of equipment, (2) how much time is involved from start to finish, (3) heavy equipment where will it be parked; and (4) how will it be barricaded so my child and his friends are not going to get into it. Mr. Davis, safety is always a concern when we do excavation. The contractor will be coming in with a backhoe. The water main will be approximately 4-5 feet in the ground. It shouldn't take more than 2 weeks to complete the construction. It is a real quick project. Ms. Orr asked if they repave the surface. Mr. Davis stated that they will return the road to the same surface that exists now.

Mr. Ernest Kiss, 5335 Kerger Road, Ellicott City, Maryland. Mr. Kiss stated that he thinks there is a main water line on this road (he pointed to the map). If they would have brought the water main up from this direction, they wouldn't have to dig up the driveway. I would like for you to extend the water main so we have fire protection. Mr. Irvin stated that if the public main is extended there would be fire hydrants on it – they

are every 300 feet and at the end of the main there would be a hydrant. Mr. Irvin stated we will go back and look at why we didn't come from the other direction. Mr. Kiss was also concerned about paving the driveway because when the County put in the sewer main they promised to pave the road. Mr. Irvin stated that he understands that the driveway as it exists is not on the recorded easement – it is outside of the easement on private property. There were a number of discussions about getting it back to where it belonged or getting the easement granted by the person where the driveway is located and that didn't work out. We could not pave where the road is now, because it is on private property – it is not on the easement that everyone owns. I will have someone get that information for you so you can see what we are talking about – this was three or four years ago when this happened. The other problem that we have since they put this new road in is people from this area (pointing to the map) are using our road. When there is heavy rains this area (pointing to the map) fills up with water and comes across the road and washes the road and everything else out. Mr. Irvin stated that if Mr. Kiss or his neighbors are interested in pursuing this, the County will meet with them to gather and go over the options and explain what the problems are and the different choices you have for fixing the road. The water runoff is coming from Dennis Preserves. Mr. Davis advised the Board that Mr. and Mrs. Kiss also presented a letter to the Board which is attached hereto and made a part of these minutes.

Mr. Patrick Kirby, 5301 Kerger Road, Ellicott City, Maryland. I am going to restate a couple of things that were brought up. When the sewer main went it the County was supposed to give everyone paved access out to Kerger Road. We want to know why that didn't happen. The results of that giving everyone paved access out to Kerger Road was to come through 5519 Kerger Road and to create a cut through to come up the paved access through an easement that leads up to the cul-de-sac on Harvey Lane. When this road was cut through, several roads were constructed before the final location. There is some higher sewer in this location and what this creates is that all the water comes off Harvey Lane in this cul-de-sac, runs down a private access road (shown to the Board on the map) and comes down and basically floods his property every time it rains. I am for extending the road and making this a public road and even leaving this extension here. I am trying to make sure that the water is somehow diverted and draining the proper way. Ms. Spitulnik asked if the County were to be able to pave those two access roads, would you be in favor of even if the road is not where it is supposed to be – would you be willing to grant some of your property to get it where it needs to be. He indicated yes – right now the road basically is pretty much on the property where it is supposed to be all the way up to about here (pointing to the map) and then it has a severe curve. The reason for the curve is because there are some large trees and the road has been there for a long time – so that is why the road curves down. There is still some extra easement on my property but there is no gravel on the area. When I built my home, I got my water service adjacent to my property. Mr. Irvin asked if this was a house connection or a water line. Mr. Kirby said it is a house connection for him but there is an 8-inch water main.

Ms. Spitulnik asked if Mr. Kirby knew if there was anyone who would contest the paving of the road. Mr. Irvin stated that the problem is closer to Kerger Road. Mr. Kirby stated that he believed that just about everyone in the neighborhood is pretty much in favor of somehow making an adjustment to the road and does include some work to be done. What he wanted to make clear was if the access road is abandoned, there is no reason

to keep the water main coming through 5119 Kerger Road.

A gentleman from the audience stated that it seemed to him that the County needs to address the storm water management issues as a priority before the County considers repaving and relocation of the road. Mr. Irvin stated that if this becomes a County road, we would have to put in a drainage system.

Mr. Richard Christian, 5305 Kerger Road, Ellicott City, Maryland. There is a serious problem after the construction of the development. After the development the drainage becoming into the neighborhood (pointing to the map) – we never had that flooding. The drainage creates a hazard. We are all in favor of the paving. I think that when people came down here years ago to look at putting the road in the right location, they didn't look at it correctly. There is only one big tree and the rest of them are little 8-10 inch trees. Mr. Irvin stated that the County did a formal survey. Mr. Christian indicated he has been asking to see that survey. Mr. Irvin stated he would be glad to share it with him.

A gentleman from the audience stated that the Engineering office was well aware of the water issues and the storm water management concerns.

A gentleman from the audience asked if Marlo Austin Way is a County road or a private road. Mr. Irvin stated that the developer of the adjacent subdivision is constructing this road, so Mr. Seefried is going to follow up on this. Mr. Irvin said he thought this road is a use in common driveway for the neighborhood. A lady from the audience said it has a brown sign – Mr. Irvin stated that it is a private driveway.

Motion: By a conference call on Thursday, January 29, 2009 at 3:00 p.m. a motion was made by Ms. Spitulnik and seconded by Mr. Smith, the Board unanimously recommended that Capital Project W-8310, FY 2012 Marlo Austin Way Water Main Extension project be tabled until the next meeting.

b) W-8305, FY 2015 Landing Road Water Main Loop

Staff Presentation: The next project is Capital Project W-8305, the Landing Road Water Main Loop. The project consists of the design and construction of 4,300 linear feet of 12-inch water main along Landing Road to connect the water mains between Ilchester Road and Montgomery Road. The estimated project cost is \$1,500,000 to be funded in fiscal year 2015. The project was initiated by the Department of Public Works. The project will complete the loop of the elevation 550 water system in Landing Road and provide for an emergency connection to the elevation 630 East Water Zone along Ilchester Road. The improvement is required under the 2008 Howard County Master Plan for Water and Sewerage and is needed to provide for adequate domestic water supply and fire protection. Interested property owners were notified of tonight's meeting by advertisement in local newspapers and by postings in the project area. No land is expected to be involved for acquisition in this project.

Board Comments: Mr. Irvin asked the Board if there were any questions. There were none. Mr. Irvin asked if there were any questions from the audience.

Public Testimony: Mr. Robert Southall, 5379 Grovemont Drive, Elkridge, Maryland asked if the two sections between the red lines are where the work is going to be done. Mr. Davis responded yes. There is water main between these locations (pointing to the map) and we are just trying to get one continuous line. Mr. Southall said the reason he was concerned was because there was extensive work done in the middle section here a couple of years ago – that was a problematic project. So I was unclear from where the signs were posted as to what was happening. Some residents in my neighborhood are particularly concerned to see any infrastructure going in ahead of a possible road connection from Belmont. Mr. Irvin said this has nothing to do with Belmont – it is to take care of your homes and your neighbor's so that they have reliable service. There is no proposal for Belmont on the books as of right now at least. Mr. Southall said so this just compliments the work done before. Mr. Irvin said yes. Mr. Irvin asked if there are any more questions from the audience.

Motion: By a conference call on Thursday, January 29, 2009 at 3:00 p.m. a motion was made by Ms. Spitulnik and seconded by Mr. Smith, the Board unanimously recommended approval of Capital Project W-8305, FY 2015 Landing Road Water Main Loop.

c) W-8301, FY 2012 Grace Drive Water Main Loop

Staff Presentation: The next project is Capital Project W-8301, the Grace Drive Water Main Loop. The project consists of the design and construction of 900 linear feet of 12-inch water main, looping the water main in Grace Drive (550 Zone) to the water main in Quiet Night Ride (630 West Zone). The estimated project cost is \$350,000 to be funded in fiscal year 2012. The project was initiated by the Department of Public Works. The project will provide additional operational flexibility for up-feeding or down-feeding between the 550 and 630 West Water Zones along Grace Drive for the purpose of providing temporary water service in the event of a water main break. Interested property owners were notified of tonight's meeting by advertisement in local newspapers and by postings in the project area. There is no land acquisition associated with this project.

Board Comments: Mr. Irvin asked if there were any questions from the Board. There were none. Mr. Irvin asked if there were any questions from the audience.

Public Testimony: None

Motion: By a conference call on Thursday, January 29, 2009 at 3:00 p.m. a motion was made by Ms. Spitulnik and seconded by Mr. Smith, the Board unanimously recommended approval of Capital Project W-8301, FY 2012 Grace Drive Water Main Loop.

d) W-8302, FY 2014 North Ridge Road Water Main

Staff Presentation: The next project is Capital Project W-8302, North Ridge Road Water Main. The project consists of the design and construction of 1,100 linear feet of 12-inch water main along North Ridge Road from Town and Country Boulevard to Carls Court. The estimated project cost is \$530,000 to be funded in fiscal year 2014. The

project was initiated by the Department of Public Works. The project will loop the water systems in the area providing redundancy in the water supplies. The improvement is required under the 2008 Howard County Master Plan for Water and Sewerage and is needed to provide for adequate domestic water supply and fire protection. Interested property owners were notified of tonight's meeting by advertisement in local newspapers and by postings in the project area. Land acquisition will be necessary for this particular project.

Board Comments: Mr. Irvin asked if there were any questions from the Board. Ms. Carroll asked if land acquisition would be required. Mr. Davis responded yes, this is privately held land. Mr. Irvin said we have been waiting for this property to develop for many years and it does not appear that is imminent particularly now. We felt it was in the best interest of the County to move forward and connect the systems. Mr. Irvin asked if there were any questions from the audience.

Public Testimony: None.

Motion: By a conference call on Thursday, January 29, 2009 at 3:00 p.m. a motion was made by Mr. Smith and seconded by Ms. Spitulnik, the Board unanimously recommended approval of Capital Project W-8302, FY 2014 North Ridge Road Water Main.

e) W-8303, FY 2014 Loudon Ave/Railroad Street Water Main

Staff Presentation: The next project is Capital Project W-8303, the Loudon Avenue/Railroad Street Water Main. The project consists of the design and construction of 3,000 linear feet of 8-inch and 12-inch water main along Loudon Avenue and Railroad Street to Hanover Road. The estimated project cost is \$1,000,000 to be funded in fiscal year 2014. The project was initiated by the Department of Public Works. Projected populations and water demands for the area indicate that a secondary water main loop will be required to provide adequate flows and pressures for the area. The improvement is required under the 2008 Howard County Master Plan for Water and Sewerage and is needed to provide for adequate domestic water supply and fire protection. Interested property owners were notified of tonight's meeting by advertisement in local newspapers and by postings in the project area. Land acquisition will be necessary for this project.

Board Comments: Mr. Irvin asked the Board if there were any questions. Ms. Spitulnik asked where the current line is located. Mr. Davis responded that the current line is on the same street. In order to connect the two lines in the area a combination of 8-inch and 12-inch lines are recommended from the bottom to make a better looping system. Mr. Irvin asked if there were any questions from the audience.

Public Testimony: None

Motion: By a conference call on Thursday, January 29, 2009 at 3:00 p.m. a motion was made by Ms. Spitulnik and seconded by Mr. Smith, the Board unanimously recommended approval of Capital Project W-8303, FY 2014 Loudon Ave/Railroad Street Water Main.

f) W-8304, FY 2015 Columbia Pumping Station Improvements

Staff Presentation: The next project is Capital Project W-8304, Columbia Pumping Station Improvements. The project consists of the design and implementation of upgrades to the Columbia Water Pumping Station. The estimated project cost is \$1,000,000 to be funded in fiscal year 2015. The project was initiated by the Department of Public Works. The station was constructed in 1979. The project will renovate the Columbia Pumping Station by upgrading and refurbishing the pumps, motors and station controls. The improvement is required under the 2008 Howard County Master Plan for Water and Sewerage and is needed to provide for adequate domestic water supply and fire protection to the elevation 630 Water Zone. Interested property owners were notified of tonight's meeting by advertisement in local newspapers and by postings in the project area. No land is required for this project.

Board Comments: Mr. Irvin asked if there were any questions from the Board and the audience. There were none.

Public Testimony: None

Motion: By a conference call on Thursday, January 29, 2009 at 3:00 p.m. a motion was made by Ms. Spitulnik and seconded by Mr. Smith, the Board unanimously recommended approval of Capital Project W-8304, FY 2015 Columbia Pumping Station Improvements.

g) W-8306, FY 2015 Sanner Road Water Main Loop

Staff Presentation: The next project is Capital Project W-8306, the Sanner Road Water Main Loop. The project consists of the design and construction of 5,800 linear feet of 12-inch water main along Sanner Road from River Oak Court to Johns Hopkins Road. The estimated project cost is \$2,000,000 to be funded in fiscal year 2015. The project was initiated by the Department of Public Works. The project will loop the Johns Hopkins Road and Cedar Lane supply mains. The improvement is required under the 2008 Howard County Master Plan for Water and Sewerage and is needed to provide for a redundancy in the water service and to insure adequate domestic water supply and fire protection. Interested property owners were notified of tonight's meeting by advertisement in local newspapers and by postings in the project area. No land is anticipated to be needed for this project.

Board Comments: Mr. Stokes asked if there were any questions from the Board. There were none. Mr. Stokes asked if there were any questions from the audience.

Public Testimony: Mr. Wayne Funkhouser, of Sanner Road indicated that he is opposed to this project. If the County were to partner with Johns Hopkins and tie in to its main or distribution system - they could connect and loop this system because there are three towers on the APL property. In addition there is a fourth tower proposed at Rt. 216 to provide additional redundancy and fire protection for the property that is across Johns Hopkins Road. I testified when there was a proposal to widen Sanner Road to four lanes. I'm at a loss to understand why the County and the planners keep on

looking to Sanner Road for projects because on the west side it is all residential. I'm concerned as to whom this will benefit and will the residents be required to connect if in fact the main is installed. When you mentioned the proposed I really did not pick up the size of the main. Mr. Davis indicated the main is 12-inch. Is this project proposed for the west side or the east side of Sanner Road? Mr. Davis responded that this project is proposed for redundancy in the system and fire protection. We look at the system as a whole and we model it. Mr. Funkhouser asked is this a design build that has not been designed yet. Because APL is on the east side and there is property between the utility pole and their fence if this project has to go, that water main should be installed without any disruption to the community. However, I have a feeling that they will come across the street and it will affect numerous trees. I have eight trees in front of my house that if you go inside the drip ring and you excavate to put in a 12-inch water main all those trees are going to die. Mr. Irvin said most likely it is either in the paving over or on the Hopkins side. Mr. Funkhouser asked if anyone had approached Johns Hopkins about going for redundancy and fire protection to their distribution system. They have a multimillion dollar renovation project ongoing with additional towers going up. They just built a new water tower. I believe it is at least half million gallons or more. Mr. Irvin said that we are aware of their internal system and whether that can be used for distribution to our system, he didn't know. Mr. Irvin said that they will take a look at that. The answer to the other questions is there is no mandatory connection unless the Health Department will condemn your well. We do not require people to hook up - that is probably three or four times a year that people's well would get condemned County wide.

Mr. Funkhouser said two million dollars could be better spent rather than this connection and this proposal. The reason why I am saying this is because I was a project manager for the Federal government. I handled a lot of major projects and capital improvements. The Sanner Road widening project I testified that they should move over a just little bit to Montpelier Drive and connect as it was intended to be when that development was built. The same thing could take place if we needed to put a redundancy from River Oak Court to Johns Hopkins Road - you could go right up Montpelier Road without any disruption to the residences and the existing environmental issues that are there. There are two streams to cross and lots of trees. Every time I discuss things with Hopkins, they always want everything to come over on to the property owner's side of the road. I am definitely opposed to that. Mr. Irvin said we will certainly take a look at your suggestions.

Mr. David Wilkinson, 7036 River Oak Court. I'm here representing the Clarksville Hunt Homeowners Association. We have previously been involved in the discussion with the County about whether Sanner Road should be expanded or not. I was concerned about where this water main might go and whether if you place in one area does that now affect the expansion and how that road is expanded. I would like to be sure happens that the two are coordinated together so that we don't have a water main put in one location that drives decisions that we have significant interest on as far as where the road goes. Mr. Irvin said we don't have a decision on whether we are going to expand the road or not. We are going to evaluate it, but obviously they have to be compatible. That is a critical issue in terms of making sure that water lines are built in a proper location. Mr. Wilkinson asked how the community stays as part of the discussions. Mr. Irvin responded that we will be glad to continue the dialogue with you about this along

with the road as we promised we would. I will have Mr. Ron Lepson follow up with you. Mr. Irvin asked if there were any other comments from the audience.

Motion: By a conference call on Thursday, January 29, 2009 at 3:00 p.m. a motion was made by Mr. Smith and seconded by Ms. Spitulnik, the Board unanimously recommended approval of Capital Project W-8306, FY 2015 Sanner Road Water Main Loop.

h) W-8307, FY 2016 Brokenland Parkway Water Main

Staff Presentation: The next project is Capital Project W-8307, the Brokenland Parkway Water Main. The project consists of the design and construction of 4,100 linear feet of 30-inch water main along Brokenland Parkway from Stevens Forest Road to Cradlerock Way. The estimated project cost is \$5,000,000 to be funded in fiscal year 2016. The project was initiated by the Department of Public Works. The project will provide a secondary loop for the water systems, improving integration of the major water supplies from US Route 40 and the Elkridge area. The improvement is required under the 2008 Howard County Master Plan for Water and Sewerage and is needed to provide for adequate domestic water supply and fire protection. Interested property owners were notified of tonight's meeting by advertisement in local newspapers and by postings in the project area. No land is necessary for this project.

Board Comments: Mr. Irvin asked the Board if there were any questions. There were none. Mr. Irvin asked the audience if there were any questions

Public Testimony: None

Motion: By a conference call on Thursday, January 29, 2009 at 3:00 p.m. a motion was made by Ms. Spitulnik and seconded by Mr. Smith, the Board unanimously recommended approval of Capital Project W-8307, FY 2016 Brokenland Parkway Water Main.

i) W-8308, FY 2016 US 29 Water Main, MD 32 to MD 216

Staff Presentation: The next project is Capital Project W-8308, the US29 Water Main, MD 32 to MD 216. The project consists of the design and construction of 14,000 linear feet of 24-inch water main parallel to US Route 29 from MD Route 32 to MD Route 216. The estimated project cost is \$10,500,000 to be funded in fiscal year 2016. The project was initiated by the Department of Public Works. The project will provide additional hydraulic capacity and increase water supply to the 3 million gallon Scaggsville Elevated Water Tank. The improvement is part of the County's central water system, providing water to the upper 630 and 730 zones as well as to the lower 400 zone. The improvement is required under the 2008 Howard County Master Plan for Water and Sewerage and is needed to provide for adequate domestic water supply and fire protection. Interested property owners were notified of tonight's meeting by advertisement in local newspapers and by postings in the project area. Land is anticipated to be required for this project.

Board Comments: Mr. Irvin asked the Board if there were any questions. Ms. Carroll asked where the County anticipated acquiring the land. Mr. Davis stated as we show the project now, it is in the Route 29 corridor. We are trying to get the water main from Route 32 down to Route 216 with the noise walls and the fact that this is a major highway. We anticipate that when we get to the alignment study we may need to take this water main somewhere else and not straight down this line. We don't know where that is now, until the design is completed.

Ms. Spitulnik asked if this could stay in Route 29 – do they build lines in the major highway? Mr. Irvin said only on the edge of the right-of-way – we can't put them in underneath the paving. The problem is the State keeps prior rights so they can always ask you to move the pipe. The down side is moving it off of the right-of-way you have to deal with getting many acquisitions which is very difficult. Mr. Irvin asked if there were any comments from the audience.

Public Testimony: Mr. Wayne Funkhouser of Sanner Road indicated that Montpelier Road which is a County road wasn't completely tied into Route 29. If you go from Route 32 there is a berm that was intended to connect to Route 29. If you bring the water main right down along Route 29 and go up the berm through Montpelier Drive across at the traffic light and go down Old Hopkins Road, you're within a quarter of a mile of Route 216. That would save you having to go to residents of property asking them to give up their property. Mr. Irvin stated that we will take a look at this option.

Mr. Davis said when we do a capital project; we hire an engineer who looks at alignments all around that corridor to find different ways to get there. We will take your suggestion and look at it. Mr. Funkhouser said he would like to work with the engineers. Mr. Irvin said we have your name on record and we will be in touch with you to follow up with your suggestion. Mr. Funkhouser said he would love to volunteer to help the County because he is now retired and worked for the Federal government as a project manager for 27 years. Mr. Irvin said we will take you up on your offer.

Motion: By a conference call on Thursday, January 29, 2009 at 3:00 p.m. a motion was made by Mr. Smith and seconded by Ms. Spitulnik, the Board unanimously recommended approval of Capital Project W-8308, FY 2016 US 29 Water Main, MD 32 to MD 216.

j) W-8309, FY 2019 Mission Road to Md175 Water Main Loop

Staff Presentation: The next project is Capital Project W-8309, the Mission Road to MD175 Water Main Loop. The project consists of the design and construction of 9,500 linear feet of 12-inch water main along Mission Road to MD 175. The estimated project cost is \$4,400,000 to be funded in fiscal year 2019. The project was initiated by the Department of Public Works. The project will complete the loop of the elevation 550 water zone along the I-95 corridor. The connection will provide a redundancy in the lower 550 zone water system. The improvement is required under the 2008 Howard County Master Plan for Water and Sewerage and is needed to provide for adequate domestic water supply and fire protection. Interested property owners were notified of tonight's meeting by advertisement in local newspapers and by postings in the project area. Land will be necessary for this project in the form of an easement.

Board Comments: Mr. Irvin asked the Board if there were any questions. There were none. Mr. Irvin asked the audience if there were any questions.

Public Testimony: None

Motion: By a conference call on Thursday, January 29, 2009 at 3:00 p.m. a motion was made by Ms. Spitulnik and seconded by Mr. Smith, the Board unanimously recommended approval of Capital Project W-8309, FY 2019 Mission Road to MD 175 Water Main Loop.

2. **Road Acceptance Hearing**

- (a) Subdivision: Buckskin Oaks, Lots 1 Thru 4, Open Space Lot 5, Buildable Preservation Parcel 'A' And Non-Buildable Preservation Parcels 'B' & 'C'
Road Agreement No. F-05-061 N/A
Road Names: Bucks Ridge Court
Petitioner: Buckskin Oaks, LLC

Staff Presentation: Ms. Tina Hackett, Chief, Real Estate Services Division, indicated that Buckskin Oaks, LLC has presented a petition to the Director of Public Works for the acceptance in fee simple title to Bucks Ridge Court located in Buckskin Oaks, Lots 1 Thru 4, Open Space Lot 5, Buildable Preservation Parcel 'A' And Non-Buildable Preservation Parcels 'B' & 'C'. The Bureau of Engineering has inspected the subdivision and certifies that all public improvements have been constructed in accordance with the approved plans and specifications and meets the criteria for acceptance under Section 18.202 of the Howard County Code. The Bureau of Engineering recommends that the public improvements be accepted into the County's system of publicly owned and maintained facilities.

Board Comments: Mr. Irvin asked if there were any punch list items. Ms. Hackett responded that everything is complete. Mr. Stokes asked if there were any questions from the Board. There were none.

Public Testimony: There were no comments from the audience.

Motion: By a conference call on Thursday, January 29, 2009 at 3:00 p.m. a motion was made by Ms. Spitulnik and seconded by Mr. Smith, the Board unanimously recommended that the Director of Public Works accept the public improvements located in Buckskin Oaks, Lots 1 Thru 4, Open Space Lot 5, Buildable Preservation Parcel 'A' And Non-Buildable Preservation Parcels 'B' & 'C' into the County's system of publicly owned and maintained facilities.

- (b) Subdivision: Foxtail Run, Lots 1 thru 7 and Open Space Lot 8
Agreement No. F-04-047 N/A
Road Names: Greyfox Run
Petitioner: Foxtail Run, LLC

Staff Presentation: Ms. Hackett indicated that Foxtail Run, LLC has presented a petition to the Director of Public Works for the acceptance in fee simple title to Greyfox

Run located in Foxtail Run, Lots 1 thru 7 and Open Space Lot 8. The Bureau of Engineering has inspected the subdivision and certifies that all public improvements have been constructed in accordance with the approved plans and specifications and meets the criteria for acceptance under Section 18.202 of the Howard County Code. In this instance there are a few minor items that remain incomplete: 1. top soil, seed and mulch bare areas around the storm water management pond, 2. reset tree support stakes at street trees, 3. place restraining ban on driveway culvert pipes at the end of section for pond access driveway and 4. clean trash from roads, swales and ponds forebay. Construction Inspection has recommended that the developer enter into a sidewalk agreement and post \$1000 to complete those improvements. The developer will have six months to do the work. The Bureau of Engineering recommends that the public improvements be accepted into the County's system of publicly owned and maintained facilities.

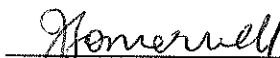
Board Comments: Ms. Spitulnik asked if it takes six months to do all the work. Ms. Hackett responded that everything else is done except for these few minor items and yes, it takes six months to complete that. Ms. Spitulnik asked if they were still doing development. Ms. Hackett said the representative of the developer says that all the work is done. Ms. Spitulnik asked why weren't the rest of these items finished. Mr. Clark Sperry, the developer representatives, said that the County advised them of these items a couple of days ago so that put up the money to cover the work as weather permits. Ms. Hackett said usually if there are minor items that need to be done we will enter into a sidewalk agreement/deferred improvements agreement and the developer has to post the surety with us. In this case the developer posted a check for the \$1000. The money is separate than the surety we hold for the completion of the public improvements – this is added money that they put for those six months until the work is done. Mr. Irvin asked if there were any questions from the audience. There were none.

Public Testimony: None.

Motion: By a conference call on Thursday, January 29, 2009 at 3:00 p.m. a motion was made by Mr. Smith and seconded by Ms. Spitulnik, the Board unanimously recommended that the Director of Public Works accept the public improvements located in Foxtail Run, Lots 1 thru 7 and Open Space Lot 8 into the County's system of publicly owned and maintained facilities.

There being no further business, the Public Works Board meeting adjourned at approximately 8:50 p.m.


James M. Irvin
Executive Secretary


Jacqueline Somervell
Recording Secretary

To: HoCo/DPW

From: Ernest and DC Kiss, 5335 Kerger Road, Ellicott City, MD

RE: DPW Project W-8310

Relative to private drive at 5281 to 5305 and 5335 Kerger Road: Has anyone noticed, there appears to be a water line that ends at the bottom of this private road, which serves Dennis Preserve? Why go through Marlo Austin Way? Why is money being expended to serve just one property? We would like this service available ALL the property owners and include a fire hydrant. We have had no accessible fire protection available in the last 30 years. In case of a fire, our homes are in jeopardy.

There has also been discussion regarding the possibility of converting this road into a public or county-owned one. We have no objection to this happening, if possible.

Should this be considered an impossibility, then we strongly recommend closing the Marlo Austin Way connection, and the serious drainage issues be corrected.

Even though our little, private road has deteriorated to the point of being an eroded stream bed and has become invisible to county officials, it has definitely not been abandoned.

There are three reasons for its condition. First: Homeowners using their home as a base * for their contracting business, hauling heavy equipment in and out 20 times a day, twice rupturing a water line, but bearing no responsibility for repairing the roadway they abuse or the damages they cause. Second: While some homeowners have begun using Marlo Austin Way as an exit, the residents of Dennis Preserve have been using our private driveway as their exit to Montgomery Road. Third: Runoff from the Dennis Preserve * development and its sediment pond, swamps the bottom this road, putting it under water for days after it rains. For these reasons, those responsible for the maintenance and upkeep of the private road refuse to put more money into it until these issues are corrected.

The county was to pave this roadway for the residents in exchange for the sewer line being brought through our properties. The county paved only the bottom half of the road. The Dennis Preserve developer promised the county a connection *straight off this part* of this road to Dennis Preserve. This never happened, because the developer meanwhile constructed a 20 foot earth-wall in that location, thereby eliminating the possibility of any connection. Finally, the developer "created" a connector between the newly constructed homes, formerly a part of the Kerger Road properties, but now known as Marlo Austin Way. This connection is ill conceived and ill placed, causing more extreme water runoff, and is only half finished, with manhole covers rising several inches above the road. In addition, to get onto Marlo Austin Way, one must negotiate the still existing curb. Also, trash removal and mail delivery still remains at the end of our private road, on Kerger, making this a ridiculous alternative for us. We must go from our home to Marlo Austin Way to Harvey Lane to Ilchester Woods Road to Ilchester Road to Kerger Road, to do any of these things.

Ernest Kiss

DC Kiss

* Photos Available